

EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF
AMERICA

v.

ALEXIS AMANI SMITH,

Defendant,

Case No. 1:23-MJ-221

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Kayleigh B. Ballance, being duly sworn, depose and state:

1. I am an Investigator with the U.S. Army Military Police, Fort Belvoir Police Department, and have been employed in that position since November 2023. Prior to my current employment, I was employed with the U.S. Army Military Police, USAG Humphreys Provost Marshals Office, South Korea, where I was a Military Police Investigator from April 2021 to April 2023. I have received specialized training through the Military Police Investigations Course and have conducted numerous investigations relating to administrative and criminal violations on the territory of U.S. Army bases or where there is an Army interest and nexus. My duties as a U.S. Army Military Police Investigator include the investigation of violations of the Uniform Code of Military Justice, as well as violations of the United States Code and Virginia State Code.

2. This affidavit is submitted in support of a criminal complaint and a summons for Alexis Amani Smith (hereinafter referred to as "SMITH"), in connection with an assault with a dangerous weapon with intent to do bodily harm, in violation of 18 U.S.C. §§ 113(a)(3), (a)(4), and (a)(5), and attempted shoplifting and shoplifting, in violation of

18 United States Code § 641, that took place on Fort Belvoir and therefore, within the special maritime and territorial jurisdiction of the United States.

3. The statements in this affidavit are based upon my training and experience, personal knowledge, and observations during this investigation, as well as the observations of other agents involved in this investigation. This affidavit contains information necessary to support probable cause, but it is not intended to include every fact and matter observed by me or known to the government of the United States.

SUMMARY OF FACTS TO SUPPORT PROBABLE CAUSE

4. On December 29, 2022, the Fort Belvoir Police Department received a call from employees of the AAFES Main Exchange (“the Exchange”) Loss Prevention Office (“LPO”), who stated that an individual, later identified as SMITH, removed property from the shelf and attempted to exit the Exchange without rendering a payment. As SMITH was exiting the Exchange while carrying the merchandise, an employee of the Exchange, a loss prevention officer, (“the Victim”) approached SMITH. When the Victim confronted SMITH, SMITH attempted to strike the Victim multiple times. The Victim caught her wrist to prevent her from striking her. The Victim then followed SMITH to the parking lot to obtain the vehicle license plate number because SMITH refused to provide identification or stop. While the Victim was standing in front of SMITH’s vehicle, SMITH accelerated and struck the Victim with her vehicle, striking her knees and shins. To maintain her balance, the Victim placed her hands on the hood of the car while yelling for SMITH to stop. The Victim related that she was scared to move in fear that she would be struck. SMITH then accelerated her vehicle striking the Victim and throwing the Victim onto an

adjacent vehicle. As a result of the hit, the Victim suffered strained knee with bruising on both knees, forearm, and shoulder.

5. Although the Victim was struck by SMITH's vehicle, she was able to photograph SMITH's license plate, which was issued by the State of Texas. Investigation revealed that the license plate number matched a vehicle registered to SMITH. An officer matched SMITH's driver's license photograph to a still-shot of the CCTV footage which showed SMITH in the Exchange selecting items prior to attempting to steal the merchandise.

6. Based on a review of the CCTV footage, investigators determined that SMITH was walking around the Exchange and holding one gold fragrance box and one silver fragrance box. SMITH then tried on three sets of earrings. SMITH then walked around the clothing section and removed security tags of selected items, placing them on numerous shelves. SMITH then walked past the point of purchase with the items under her arm, without having first rendered proper payment. The Victim intercepted SMITH near the exit of the Exchange. When confronted by the Victim, SMITH dropped the unpaid merchandise she was carrying by the exit doors. SMITH attempted to take five items—perfume and earrings—without rendering proper payment. The aggregate cost of all items totaled \$342.99.

7. As part of the investigation, investigators interviewed an eyewitness of the incident. The witness ("Witness 1") stated that he was in the parking lot when he heard a female, the Victim, yelling "stop" and saw her hands on the hood of the vehicle. Witness 1 stated that the car accelerated causing the Victim to be pushed onto the hood of the vehicle and then roll off and fall onto the ground. Witness 1 also described the person driving the

vehicle to have sped away and related that the driver had no regard to the welfare of the Victim.

8. On January 3, 2023, SMITH was interviewed after she was advised of her legal rights. SMITH stated that she did not recall assaulting anyone physically or anyone outside of her vehicle. However, she stated that she did recall someone banging on her car.

CONCLUSION

9. Based on the foregoing, I submit that there is probable cause to believe that on or about December 29, 2022, in the special and territorial jurisdiction of the United States in Fort Belvoir, in the Eastern District of Virginia, Alexis SMITH assaulted the Victim using her car to do so, in violation of 18 U.S.C. §§ 113(a)(3), (a)(4), and (a)(5) and attempted to and shoplifted merchandise from the Exchange, in violation of 18 United States Code § 641.

Respectfully submitted,

BALLANCE.KAYLEIGH.BRIANNE
E.1549175100

Digitally signed by
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Date: 2024.06.13 09:34:07 -04'00'

Kayleigh B Ballance
Military Police Investigations
Fort Belvoir Police Department

Respectfully submitted and attested to in
accordance with the requirements of
Fed. R. Crim. P. 4.1 by telephone on June 14, 2024.

William E. Fitzpatrick
The Honorable William E. Fitzpatrick
United States Magistrate Judge
Alexandria, Virginia